

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

ASSOCIATION OF NEW JERSEY RIFLE
& PISTOL CLUBS, INC., BLAKE
ELLMAN, and MARC WEINBERG,

Plaintiffs,

v.

MATTHEW PLATKIN, in his official
capacity as Attorney General of New Jersey,
PATRICK J. CALLAHAN, in his official
capacity as Superintendent of the New
Jersey Division of State Police,
RYAN MCNAMEE, in his official capacity
as Chief of Police of the Chester Police
Department, and
JOSEPH MADDEN, in his official capacity
as Chief of Police of the Park Ridge Police
Department,

Defendants.

HON. RENÉE M. BUMB

Civil Action No.
3:18-cv-10507

(ELECTRONICALLY FILED)

**JOINT MOTION FOR
EXTENSION OF STAY PENDING
APPEAL**

MARK CHEESEMAN, TIMOTHY
CONNELLY, and FIREARMS
POLICY COALITION, INC.,

Plaintiffs,

v.

MATTHEW J. PLATKIN, in his
official capacity as Acting Attorney
General of New Jersey, PATRICK J.
CALLAHAN, in his official capacity
as Superintendent of the New Jersey

HON. RENÉE M. BUMB

Civil Action No.
1:22-cv-4360

State Police, CHRISTINE A. HOFFMAN, in her official capacity as Acting Gloucester County Prosecutor, and BRADLEY D. BILLHIMER, in his official capacity as Ocean County Prosecutor,

Defendants.

BLAKE ELLMAN, THOMAS R. ROGERS, and ASSOCIATION OF NEW JERSEY RIFLE & PISTOL CLUBS, INC.,

Plaintiffs,

v.

MATTHEW J. PLATKIN, in his official capacity as Attorney General of New Jersey, PATRICK J. CALLAHAN, in his official capacity as Superintendent of the New Jersey Division of State Police, LT. RYAN MCNAMEE, in his official capacity as Officer in Charge of the Chester Police Department, and KENNETH BROWN, JR., in his official capacity as Chief of the Wall Township Police Department,

Defendants.

HON. RENÉE M. BUMB

Civil Action No.
3:22-cv-04397

JOINT MOTION FOR EXTENSION OF STAY PENDING APPEAL

1. On July 30, 2024, this Court issued a memorandum opinion and a judgment and order in this case. Dkts. 228, 229. Judge Sheridan held that N.J. Stat. 2C:39-1(w)'s ban on Colt AR-15 rifles violated the Second Amendment, that its ban on certain ammunition magazines did not, and that certain other parts of this act lay outside plaintiffs' challenge. Dkt. 228 at 4-6, 69.
2. Judge Sheridan *sua sponte* stayed "the effect of this Order and Judgment ... for thirty days." Dkt. 229 at 4.
3. The undersigned parties have conferred and agreed to stipulate to extend the current stay of the effect of the Court's Order and Judgment pending appeal. The parties now move before this Court for an extension of the current 30-day stay of the District Court's July 30, 2024 Memorandum Opinion and Order until the resolution of any appeal.
4. The State hereby withdraws its prior motion, *Cheeseman* Dkt. 87, which is superseded by this joint motion.
5. A draft order reflecting the above is respectfully attached.¹

¹ The State requests that the caption be substituted automatically pursuant to Fed. R. Civ. P. 25(d). Former Acting Gloucester County Prosecutor Christine Hoffman retired on July 1, 2024. Elizabeth Parvin is the current Acting Gloucester County Prosecutor.

Respectfully submitted,

S/ANGELA CAI

Angela Cai
Deputy Solicitor General
Office of the New Jersey
Attorney General
25 Market Street
Trenton, NJ 08625
(609) 414-5954
Angela.Cai@njoag.gov

COUNSEL FOR STATE DEFENDANTS

August 20, 2024

S/BRADLEY LEHMAN

Bradley Lehman
Gellert Seitz Busenkell & Brown, LLC
1201 N. Orange Street, Suite 300
Wilmington, DE 19801
(302) 416-3344
blehman@gsbblaw.com

Counsel for Cheeseman Plaintiffs

S/DANIEL L. SCHMUTTER

Daniel L. Schmutter
Hartman & Winnicki, P.C.
74 Passaic Street
Ridgewood, NJ 07450
(201) 967-8040
dschmutter@hartmanwinnicki.com

*COUNSEL FOR ANJRPC AND ELLMAN
PLAINTIFFS*